

plaintiff fails to prosecute or comply with any order of court. *McCullough v. Lynaugh*, 835 F.2d 1126, 1127 (5th Cir. 1988). “The court possesses the inherent authority to dismiss the action *sua sponte*, without motion by a defendant.” *Id.* Because Plaintiff failed to abide by the Court’s order and failed to prosecute this case, this lawsuit should be dismissed under Rule 41(b).

II. Recommendation

For the foregoing reasons, the undersigned Magistrate Judge **RECOMMENDS** that the District Court **DISMISS** Plaintiff’s lawsuit without prejudice pursuant to Rule 41(b).

The Court **FURTHER ORDERS** the Clerk to **REMOVE** this case from the Magistrate Court’s docket and **RETURN** it to the docket of the Honorable Robert Pitman.

III. Warnings

The parties may file objections to this Report and Recommendation. A party filing objections must specifically identify those findings or recommendations to which objections are being made. The District Court need not consider frivolous, conclusive, or general objections. *See Battle v. United States Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987). A party’s failure to file written objections to the proposed findings and recommendations contained in this Report within fourteen (14) days after the party is served with a copy of the Report shall bar that party from de novo review by the District Court of the proposed findings and recommendations in the Report and, except on grounds of plain error, shall bar the party from appellate review of unobjected-to proposed factual findings and legal conclusions accepted by the District Court. *See* 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140, 150-53 (1985); *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc).

SIGNED on March 20, 2023.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE